IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 15TH JANUARY 2007 / 25TH PAUSHA 1928

Bail Appl..No. 166 of 2007()

Crime No.1767/06 of Central Police Station,Ernakulam

: PETITIONER/ACCUSED:

ANWAR HUSSAIN, ARABIAN TRADE LINKS,
A1-HUALA BUILDING, NEAR ARCHANA HOSPITAL,
M.C. RAOD, PANDALAM.

BY ADV. SRI.V.P.MOHAMMED NIYAZ

RESPONDENTS: COMPLAINANT;

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.166 of 2007

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Dated this the 15th day of January, 2007.

ORDER

Petitioner, who is the first accused in Crime No.1767 of 2006 of Central Police Station, Ernakulam for an offence punishable under Section 420 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The petitioner is stated to be the Manager of an agency by name Arabian Trade Links, which is said to be engaged in recruiting persons for overseas employment. The allegation against the petitioner is that the petitioner has not handed over the passport, visa, and other documents to the de facto complainant as promised. According to the petitioner, it was since the agreed amounts were not paid by the de facto complainant that he withheld the passport and other documents.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Investigating Officer for the purpose of custodial interrogation and then have his application for regular bail disposed of by the Magistrate

concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 17.1.2007 and 19.1.2007 for the purpose of custodial interrogation and recovery of incriminating documents, if any. The petitioner shall thereafter be produced before the Magistrate having jurisdiction on the same day. The Magistrate shall consider and dispose of the application for regular bail, if any, filed by the petitioner preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

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